

Michael R. Mushkin (Nevada State Bar #: 2421)
Michael R. Mushkin & Associates, P.C.
4475 South Pecos Road
Las Vegas, NV 89121
PH: (702) 386-3999
FX: (702) 454-3333
Email: michael@mushlaw.com

*Attorney for Plaintiff
KPI Bridge Oil, Inc.*

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KPI BRIDGE OIL, INC.,

Plaintiff,

v.

WILMINGTON TRUST COMPANY; TERAS
CARGO TRANSPORT (AMERICA) LLC;
TERAS BREAKBULK OCEAN NAVIGATION
ENTERPRISES LLC; TRUENORTH
TRANSPORT LLC,

Defendants.

IN ADMIRALTY

CASE NO.: 3:17-cv-007-MMD-VPC

**MOTION FOR AN ORDER
APPOINT A SPECIAL PROCESS
SERVER PURSUANT TO RULE
4(C) AND SCOPE OF SERVICE**

COMES NOW Plaintiff, KPI BRIDGE OIL, INC., by and through undersigned counsel, and respectfully moves this Honorable Court for an Order Appointing a Special Process Server Pursuant to Rule 4 (C) of the Federal Rules of Civil Procedure. Plaintiff desires that Process of Maritime Attachment and Garnishment be served on the garnishee(s) with all deliberate speed so that it will be fully protected against the possibility of the Defendant not satisfying the claim Plaintiff has against it. Counsel for Plaintiffs of the law firm Michael R. Mushkin & Associates, P.C. and/or their designated agent, all of whom are over 18 years of age and not party to this action, will act as Special Process Server to effect service of Process of Maritime Attachment and Garnishment on the named garnishee(s).

1 To the extent that the Application for an Order Appointing a Special Process Server
 2 with respect to this attachment and garnishment does not involve a restraint of physical
 3 property, there is no need to require that the service be effected by a U.S. Marshal as it simply
 4 involves the delivery of process to the garnishee(s) who are believed to be in possession of the
 5 Defendant's tangible or intangible property.

6 Plaintiff also requests that the Court grant it leave to serve any additional garnishee(s)
 7 who may be discovered during the course of this litigation to be holding property of the
 8 Defendant within this District. By obtaining leave at this time to serve those other possible
 9 garnishees, it will facilitate prompt serve of the process without the need to return to the Court
 10 for permission to amend the process simply to name other garnishees. To avoid the need to
 11 repeatedly serve the garnishee(s), Plaintiff respectfully seeks leave, as embodied in the
 12 accompanying proposed orders, for any process served on a garnishee to be deemed effective
 13 and continuous throughout any given day.

14 WHEREFORE, Plaintiff respectfully requests this Honorable Court grant the instant
 15 motion, and appoint that the associates or paralegals or agents with the firm of Michael R.
 16 Mushkin & Associates, P.C., who are over the age of 18 and not parties to this action, as a
 17 special process server and such other and further relief as the Court may deem appropriate in
 18 the circumstances.

19 Respectfully submitted,

20 Dated: December 12, 2016
 21 Las Vegas, NV

Michael R. Mushkin & Associates, P.C.

22 By: /s/ Michael R. Mushkin
 23 Nevada State Bar number: 2421
 24 4475 South Pecos Road
 25 Las Vegas, NV 89121
 PH: (702) 386-3999
 FX: (702) 454-3333
 Email: michael@mushlaw.com

Attorney for Plaintiff
KPI Bridge Oil, Inc.

1
2 OF COUNSEL

3 Briton P. Sparkman

4 (Pro hac vice application forthcoming)

5 CHALOS & Co, P.C.

6 7210 Tickner Street

7 Houston, TX 77055

8 PH: (713) 574-9582

9 FX: (866) 702-4577

10 *Attorneys for Plaintiff*

11 *KPI Bridge Oil, Inc.*

12 IT IS SO ORDERED

13 UNITED STATES DISTRICT JUDGE

14 DATED: _ January 12, 2017